



Attorney Docket No. I4060/257219

*Handwritten signature and date 3/6/03*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey D. Irwin, et al.

Serial No.: 09/800,368

Art Unit: 1751

Filed: March 6, 2001

Examiner: Elisa B. Elhilo

For: MOISTURE BARRIER FABRIC AND METHODS OF MAKING SAME

Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

This paper is submitted in response to the Office Action mailed September 24, 2002 in connection with the above-identified application. A request for a three month extension of time is enclosed herewith.

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The Examiner restricted the prosecution of the application to one of the following four groups:

- Group I Claims 1-5 and 36, drawn to a method of needling fabric;
- Group II Claims 6-13, drawn to a method of washing fabric;
- Group III Claims 14-21, drawn to a method of coating fabric; or

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this RESPONSE TO RESTRICTION REQUIREMENT, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on this 24th day of January, 2003 with sufficient postage as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Immy Gude*  
Signature

Group IV      Claims 22-35, drawn to a method for treating fabric with a solution.

Applicants hereby elect with traverse the invention of Group I as represented by claims 1-5 and 36. Applicants respectfully submit that the claims form part of a single inventive concept and that search and examination of all of the groups along with group one will not impose any undue burden on the examiner. Accordingly applicants respectfully submit that the restriction requirement is erroneous and should be withdrawn.

Respectfully submitted,



Kristin L. Johnson  
Reg. No. 44,807

Date: January 24, 2003

KILPATRICK STOCKTON LLP  
Suite 2800, 1100 Peachtree Street  
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

1.757\$

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/800,368

Filing Date March 6, 2001

First Named Inventor Irwin

Group Art Unit 1751

Examiner Name E. Elhilo

Total Number of Pages in this Submission

Attorney Docket Number I4060/257219

### ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☒ Fee Attached

☒ Amendment/Response

☐ After Final

☐ Affidavits/declaration(s)

☒ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/  
Incomplete Application

☐ Response to Missing  
Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☒ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip PTO/SB/69  
and Accompanying Petition

☐ Petition to Convert a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence  
Address

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

Remarks

☐ After Allowance  
Communication to Group

☐ Appeal Communication to  
Board of Appeals and  
Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Additional Enclosure(s)  
(Please identify below)

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
Or  
Individual Name

Kristin L. Johnson, Reg. No. 44,807  
Kilpatrick Stockton LLP

Signature

Date

January 24, 2003

### Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service via certified first class mail in envelope addressed to: Assistant Director for Patents, Washington, D.C. 20231 on this date: January 24, 2003.

Typed or printed name

Emily Guida

Signature

Date

January 24, 2003

OTPE  
JAN 29 2003  
PATENT & TRADEMARK OFFICE

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 930

## Complete if Known

Application Number 09/800,368  
Filing Date March 6, 2001  
First Named Inventor Irwin  
Examiner Name E. Elhilo  
Group / Art Unit 1751  
Attorney Docket No. I4060/257219

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit  
Account  
Number

11-0895

Deposit  
Account  
Name

Kilpatrick Stockton LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1001	750	2001	375	Utility filing fee
1002	330	2002	165	Design filing fee
1003	520	2003	260	Plant filing fee
1004	750	2004	375	Reissue filing fee
1005	160	2005	80	Provisional filing fee

Fee Paid

SUBTOTAL (1)

(\$0)

### 2. EXTRA CLAIM FEES

Total Claims 20 \*\* = 0 X Fee from below = 0  
Independent Claims 3 \*\* = 0 X Fee Paid = 0  
Multiple Dependent X Fee Paid = 0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	930
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$930)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Kristin L. Johnson

Registration No. Attorney/Agent

44,807

Telephone

404.815.6500

Signature

Date

January 24, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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